

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

SANDRA COPE)	
)	
Plaintiff,)	
)	
vs.)	Cause No:
)	
DOLLAR GENERAL STORES, LLC,)	
DG RETAIL, LLC, and JOHN DOE,)	
DOLLAR GENERAL STORE)	
MANAGER)	
)	
Defendants.)	

NOTICE OF REMOVAL

COME NOW, the named Defendants, DG Retail, LLC and John Doe, Dollar General Store Manager, by and through undersigned attorney, Jeffrey A. Kopis of Jerome, Salmi & Kopis, LLC, and files its Notice of Removal stating the following:

1. A civil action has been commenced and is now pending in Circuit Court of Madison County: Case #: 2022-LA-000684 wherein Sandra Cope is the Plaintiff and Dollar General Stores, LLC, DG Retail, LLC and John Doe, Dollar General Store Manager are the Defendants.
2. The action is a civil action wherein Plaintiff pleads damages for personal injuries because of Defendants' alleged negligence in connection with a fall occurring on May 13, 2021.
3. Defendant, DG Retail, LLC, was served a copy of the initial pleading on or about June 17, 2022.
4. This action is a civil action, of which the United States District Courts have original jurisdiction pursuant to 28 U.S.C. § 1332 and is one which may be removed to this Court by Defendant, DG Retail, LLC pursuant to 28 U.S.C. § 1441, in that this is a civil action or proceeding involving diversity of citizenship.

5. Plaintiff, Sandra Cope, is a citizen of Illinois.

6. Defendants, Dollar General Stores, LLC and DG Retail, LLC, is a Single Member LLC formed under the laws of the State of Tennessee.

7. The Single Member and Owner of Dollar General Stores, LLC and DG Retail, LLC is Dolgencorp of Texas, Inc.

8. Dolgencorp of Texas, Inc is a C Corporation incorporated in the State of Kentucky.

9. Dolgencorp of Texas, Inc., has its principal place of business in the State of Tennessee.

10. Since Dolgencorp of Texas, Inc., is incorporated in the State of Kentucky and has its principal place of business in the State of Tennessee, then Dolgencorp of Texas, Inc., for diversity purposes, is a Citizen of the State of Tennessee and a Citizen of the State of Kentucky.

11. Since Dolgencorp of Texas, Inc is both a Citizen of the State of Kentucky and the State of Tennessee and it is the sole member and owner of Defendants Dollar General Stores, LLC and DG Retail LLC, then Defendants, Dollar General Stores, LLC and DG Retail, LLC, is both a Citizen of the State of Kentucky and a Citizen of the State of Tennessee. (Copeland v. Penske Logistics, LLC, 675 F.3d 1040, 1043 (7th Cir. 2012) (“a limited liability company’s citizenship includes every state of which any unit holder is a citizen”).

12. There is therefore complete diversity of citizenship between the Plaintiff, Sandra Cope and the Defendant, DG Retail LLC.

13. Plaintiff further alleges in her Complaint that Plaintiff suffered injuries, to her head, neck, and back and knees and further alleged that her injuries are permanent and progressive.

14. Plaintiff further alleges that she incurred substantial expenses for medical care and will incur substantial expenses in the future, has and will suffer pain, suffering and loss of

enjoyment of life, and has in the past and will in the future suffer lost wages and a diminution of her earning capacity.

15. Although Plaintiff fails to allege a dollar amount in her prayer, based upon Plaintiff's allegations in her complaint, it is clear the amount in controversy is in excess of \$75,000.00.

16. Defendant DG Retail, LLC, further files herein a certified copy of the Madison County Court file Cause No. 2022-LA-000684. (Attached as Defendant's Exhibit A).

17. WHEREFORE, the named Defendants, DG Retail, LLC and John Doe, Dollar General Store Manager, pray the Court accept its Notice of Removal, and make and enter such orders as may be necessary to effect the complete removal of this action from the Circuit Court of Madison County, Illinois to the United States District Court for the Southern District of Illinois, and that further proceedings be discontinued in the State Court and all future proceedings be held in this Court, as the laws in such case provide.

Respectfully Submitted,

By: /s/ Jeffrey A. Kopis
Jeffrey A. Kopis # 6211025
JEROME, SALMI & KOPIS, LLC
331 Salem Place, Suite 260
Fairview Heights, IL 62208
Phone: (618) 726-2222
Fax: (618) 230-3331
jkopis@jsklawfirm.com
Attorney for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on July 14, 2022, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the following:

James V. O'Brien, #3127548
Andrew S. Buchanan, #6278996
Buchanan, Williams & O'Brien, P.C.
2240 S. Brentwood Blvd.
Brentwood, MO 63144
Phone: (314) 862-6865
Fax: (314) 726-6488
jobrien@bwoattorneys.com
abuchanan@bwoattorneys.com
Attorneys for Plaintiff

By: /s/ Jeffrey A. Kopis
JEROME, SALMI & KOPIS, LLC